

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CINDY FOURNIER,

Plaintiff,

v.

JAG ONE, INC.,

Defendant.

Case No. 1:21-cv-01479-EPG

ORDER REGARDING STIPULATION OF
DISMISSAL OF PLAINTIFF'S CLAIMS
WITH PREJUDICE

(ECF No. 16)

On February 4, 2022, pursuant to the parties' stipulation (ECF No. 14), the Court approved the parties' proposed consent decree and order for injunctive relief, and, further noting that the parties had otherwise settled all other matters, *i.e.*, Plaintiff's claims for damages, attorneys' fees, and litigation expenses, directed the Clerk to close this action. (ECF No. 15). However, on February 24, 2022, the parties filed a stipulation for dismissal under Fed. R. Civ. P. 41(a)(1)(A)(ii), requesting "that the Court order that all of Plaintiff's claims in this action against Defendant be dismissed *with prejudice*." (ECF No. 16, p. 1) (emphasis added).

In light of the parties' stipulation, the Clerk is directed to reopen this action for the sole purpose of entering this order, which reflects that the parties have stipulated that all of Plaintiff's claims in this action against Defendant have been dismissed with prejudice.¹

¹ While the parties request that the Court *order* that all of Plaintiff's claims in this action against Defendant be dismissed with prejudice, a stipulation of dismissal is automatically effective and does not require Court approval via an order. *See Martinez v. Lunes*, No. 1:04CV05251-AWI-

1 After entering this order, the Clerk is directed to again close this case.
2 IT IS SO ORDERED.

3 Dated: **February 25, 2022**

4 /s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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SMS, 2008 WL 5178565, at *1 (E.D. Cal. Dec. 10, 2008). Rather, the Court's orders regarding
28 stipulations of dismissal are more for the purpose of confirming the parties' stipulation on the
record and directing the Clerk to administratively close the case.